

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2002-309-C - ORDER NO. 2003-52

FEBRUARY 3, 2003

IN RE: Rule to Show Cause Request Against T-ZAK ) ORDER  
Wireless, Inc. d/b/a Talk Now USA ) RESCHEDULING  
 ) HEARING


This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of the Commission Staff for rescheduling the hearing in the instant docket regarding the Commission Staff's (the Staff's) Petition for a Rule to Show Cause, dated September 23, 2002, as to why the Certificate of Public Convenience and Necessity of T-ZAK Wireless, Inc. d/b/a Talk Now USA (Talk Now or the Company) should not be revoked.

The hearing on this matter was originally scheduled for January 23, 2003, as set forth in Commission Order No. 2002-791 issued November 18, 2002. The hearing was unable to be held on January 23, 2003, due to the Commission's office being forced to close early on this date from inclement weather conditions. For this reason, the Commission Staff requests that the hearing in this matter be rescheduled.

Upon consideration of the Commission Staff's request, we grant a newly scheduled hearing date as requested. Accordingly, a hearing shall be set on the matter of Staff's Petition for a Rule to Show Cause against Talk Now for **Wednesday, April 9, 2003, at 11:30 AM** in the offices of the Commission. Talk Now shall appear before the Commission and show cause as to why its Certificate of Public Convenience and

Necessity should not be revoked because of the reasoning stated in the Staff's Petition for Rule to Show Cause dated September 23, 2002.

BY ORDER OF THE COMMISSION:

  
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Mignon L. Clyburn, Chairman

ATTEST:

  
\_\_\_\_\_  
Gary E. Walsh, Executive Director

(SEAL)

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2002-332-E - ORDER NO. 2003-53  
FEBRUARY 3, 2003

IN RE: Mount Vernon Mills, Inc.,	)	ORDER APPROVING
	)	WITHDRAWAL AND
Complainant/Petitioner,	)	CLOSING DOCKET
	)	
vs.	)	
	)	
Duke Power,	)	
	)	
Defendant/Respondent.	)	
	)	
	)	

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This matter comes before the Public Service Commission of South Carolina (“the Commission”) on the request of Complainant Mount Vernon Mills, Inc. (“Mount Vernon”) to withdraw its pending Complaint against Duke Power (“Duke”). By letter dated January 13, 2003, counsel for Mount Vernon states that Mount Vernon does not wish to pursue further action on its Complaint against Duke and wishes to withdraw the Complaint. Accordingly and pursuant to Rule 41(a)(1)(B) of the South Carolina Rules of Civil Procedure, Mount Vernon files with its request a Stipulation of Dismissal of its complaint action. All parties to the complaint action, Complainant Mount Vernon Mills, Inc., Defendant Duke Power and Intervenor Liberty Denim, LLC, are in agreement and through their counsel, executed the Stipulation of Dismissal to that effect.

Upon consideration of this matter, the Commission concludes that the request of Mount Vernon to withdraw its Complaint should be granted. We therefore approve the Stipulation of Dismissal as submitted.

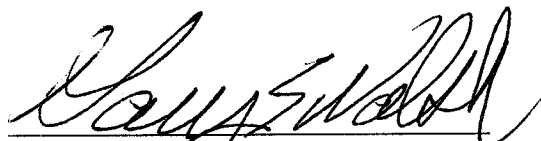
IT IS THEREFORE ORDERED THAT:

1. The request of Mount Vernon Mills, Inc. to withdraw its Complaint against Duke Power is granted, and the docket is closed.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)